

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

MAXUS METROPOLITAN, LLC,)
Plaintiff,)
v.) Case No: 20-cv-00095-FJG
TRAVELERS PROPERTY CASUALTY)
COMPANY OF AMERICA,)
Defendant.)

JOINT STATEMENT OF CASE

PLEASE TAKE NOTICE that Plaintiff Maxus Metropolitan, LLC (“Maxus”) and Defendant Travelers Property Casualty Company of America (“Travelers”) have conferred and agree to the following Joint Statement of Case per the Court’s request in the above-captioned matter:

Maxus is the owner of the Metropolitan, a multi-family apartment complex located at 2900 7th Ave South, Birmingham, Alabama. This case arises from an insurance coverage dispute relating to a two-alarm fire that occurred at the Metropolitan on September 27, 2018. At the time of the fire, Maxus was insured under Travelers’ Builders Risk insurance policy.

Plaintiff Maxus contends that the September 27, 2018 fire resulted in direct physical loss to the Metropolitan, which is covered under Travelers’ policy but which has not been fully paid. Defendant Travelers contends that it has paid all amounts Maxus is owed under the policy and that all other amounts are not owed under Travelers’ policy primarily because they are not for direct physical loss to the Metropolitan caused by the September 27, 2018 fire.

Dated: July 14, 2023

Respectfully submitted,

/s/ Michael J. Abrams

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